

**THIRD TAXING DISTRICT
CITY OF NORWALK
COMMISSION MEETING
MAY 6, 2002**

ATTENDANCE: David Brown, Chairman; Stephen Feinstein;
Paul Coggin

OTHERS: John Mola, District Treasurer; Lawrence Dennin,
District Counsel; Ron Scofield; Dave Stern; John Milici; Joe
Cristino; Ray Mitchell

The Chairman called the meeting to order at 7:00 p.m.

PUBLIC COMMENT

There was no public comment.

APPROVAL OF MINUTES - APRIL 22, 2002

Corrections were made to the minutes as follows:

Page 1, Mr. Feinstein noted that the conversation should be reversed to indicate that Mr. Coggin should be speaking where he is mentioned. The correction to the vote should state that Mr. Feinstein abstained.

Page 2, to clarify the motion it should indicate that Mr. Coggin moved to recognize that the approval for the policy change for the web site did in fact take place and was approved on January 22, 2002.

**** MR. FEINSTEIN MOVED TO ACCEPT THE MINUTES OF
APRIL 22, 2002, AS CORRECTED.**

**** MR. COGGIN SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

**** MR. FEINSTEIN MOVED TO TABLE ITEMS 3, 4, AND 5 DUE TO THE EXTENSIVE EXECUTIVE SESSION PLANNED FOR THIS MEETING.**

**** MR. BROWN SECONDED.**

Mr. Coggin suggested due to the number of citizens present to take up items 3, 4, and 5 as noted in the event the public wished to comment. Mr. Feinstein did not agree restating the detailed session to follow.

**** MOTION PASSED WITH TWO VOTES IN FAVOR AND ONE VOTE IN OPPOSITION (MR. FEINSTEIN).**

**APPROVAL OF DISTRICT AND DISTRICT-SPONSORED MEMBERS OF
51 VAN ZANT STREET STEERING COMMITTEE**

Mr. Mola noted the five members recommended for the steering committee Laurel Lindstrom, John Pinto, William Solder, Steve Orris and Cheryl Warner. Mr. Mola recalled that the Commissioners were to put up names for the steering committee as well. Mr. Mola said he did not receive any input from Mr. Feinstein. Mr. Feinstein recalled that five members would be put up by the Association and three of those with approval of the Commission. The second portion would be five people put forth by the Commission and Mr. Mola was to be chairman. This evening the Commissioners would put forth names and vote on the four that would fill the slots. Mr. Mola agreed with that recall.

Mr. Mola repeated that the names he read off were recommended by two of the Commissioners as he did not come up with names. Mr. Coggins stated that the information was published and tonight a vote was to be made on those recommendations. He asked for additional names for the Commissioners to choose from.

Mr. Feinstein recommended Shawn Foster, Marybeth Darcy, Marilyn Moreno and Joanne Romano.

The Chairman suggested that Mr. Coggin compose an agenda for presenting the individuals. He also suggested the item be tabled. Mr. Feinstein asked to add Tim Plunkett as well. There were a total of ten individuals. Mr. Brown asked for some background on the nominees for the next meeting. Mr. Mola commented that he supports Mr. Plunkett but he is not a voting member.

- ** MR. BROWN MOVED TO TABLE APPROVAL OF THE DISTRICT AND DISTRICT-SPONSORED MEMBERS OF 51 VAN ZANT STREET STEERING COMMITTEE TO THE NEXT MEETING.**
- ** MR. FEINSTEIN SECONDED.**
- ** MOTION PASSED UNANIMOUSLY.**

APPROVAL OF NEW TREE AT CONSTITUTION PARK

Mr. Scofield obtained three quotes on the tree for the park. Mr. Scofield submitted the suggestions to the Commissioners in their reading package. Oman's suggested waiting until September to seed and plant the tree due to water restrictions preventing watering of landscape currently in place.

Mr. Coggin clarified the procedure which will be removal, soil, seeding and planting a new tree. He also asked whether all three vendors would plant the same type of tree. Mr. Scofield commented that the comments were similar, but varied in size. Mr. Feinstein stated that approval was made to put in this tree through a budget line item and that the sub-committee should have handled the presentation of this item. Mr. Mola stated he unknowingly received three estimates from the same reputable landscapers that Mr. Scofield contacted. Mr. Mola received an estimate from L&L of approximately \$2,000 for removal, seeding and planting. Reynolds and Oman were in the same approximate cost estimate.

- ** MR. COGGIN MOVED THAT THE COMMISSION SET IN MOTION REPLACING THE TREE. THE CONTRACTOR SHOULD BE OMAN UNLESS HE EXCEEDS COSTS BY \$500.**

Mr. Feinstein suggested voting on a specific amount and contractor. Mr. Coggin stated that Mr. Mola has done his part as chair of the mini-park committee and now the full Commission should move forward with the project as previously discussed.

**** MR. BROWN SECONDED.**

**** MOTION PASSED WITH TWO VOTES IN FAVOR, ONE ABSTENTION (MR. FEINSTEIN).**

The chairman stated he hoped that the estimates included the stump removal as well as planting of the new tree.

APPROVAL OF STUMP REMOVAL AT LUDLOW PARK

Mr. Scofield had no information on stump removal from vendors for Ludlow Park.

**** MR. BROWN MOVED TO TABLE STUMP REMOVAL AT LUDLOW PARK.**

**** MR. FEINSTEIN SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

POLICY REGARDING USE OF DISTRICT-OWNED PARKS AND BANDSTANDS (with DISTRICT POLICY ATTACHMENT)

Mr. Coggin reviewed how and why the policy was developed. He stated this would give citizens guidelines for using the mini-parks. Mr. Brown explained that a local vendor did use the mini-park and followed all the requirements with no problems.

Mr. Feinstein stated he did not think that the parks could be restricted for private use by local citizens. He stated that if the public is restricted from having a picnic in the parks it puts a burden on them. He reminded the Commissioners that a curfew was issued last year so that the police could enforce it in the parks. He stated that he was vehemently opposed to having public, church or non-profit organizations use the mini park. He further stated that commercial enterprise is not mentioned in the policy and that puts a burden on the people as to whether a group

or individuals can freely use the parks.

Mr. Brown stated he had attended a church gathering in Shady Beach and they had to get forms and insurance to comply in order to use the beach as required by the City of Norwalk. He said that something defining public versus private use may be needed in the current policy. Mr. Coggin stated that a number might be added of i. e., 35 or 50 individuals before policy must be imposed.

Mr. Feinstein stated he thought it would have to allow that individuals gather without burdensome policies. Attorney Dennin stated that there is a procedure in the City for public events in the parks.

Mr. Brown stated that this worked well for the past event. He stated that he would speak with the director of public works to determine how they handle use of the larger parks.

**** MR. BROWN MOVED TO TABLE POLICY REGARDING USE OF DISTRICT-OWNED PARKS AND BANDSTANDS.**

**** MR. COGGIN SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

Mr. Coggin asked Mr. Feinstein for any language he might wish to add to the policy for clarity prior to the next meeting.

ELECTRIC SERVICE TO R. T. VANDERBILT COMPANY

Mr. Ray Mitchell commented that the room is very small and the primary wiring could be damaged if someone entered the meter room unknowing about the wiring. The public cannot get into it as it has been padlocked. Mr. Cristino described the area that needs attention. There is a large switch that if pulled there are live wires very close to this switch. The cables appear to be over 30 years old. There are three transformers in the room and no ventilation along with the switch. The door is unlockable and could not be padlocked. One could reach for a light switch and touch a live cable. He stated he feels it is 3rd Taxing District responsibility due to

their transformers being in the room. They do not service Vanderbilt exclusively.

The Chairman asked what would happen to the power if the Third Taxing District decided to fix it. Mr. Cristino stated that it would affect the power supply somewhat. He also stated nothing has been tested and he was not sure what the outcome might be if things were activated in that small space.

Mr. Coggin stated this room is now padlocked and there is signage. Mr. Cristino confirmed that it had been done.

Mr. Coggin asked Mr. Cristino to describe the electrical flow through the meters from the transformers. He stated that the oil switch has some transformers associated with it. It seems that there has been a combining of transformer power for the oil switch with the current transformers. The switch is supposed to be on its own transformer. The combination creates approximately one third more than should be charged for usage of power to Vanderbilt. Mr. Coggin inquired how long this has been happening. Mr. Mitchell and Mr. Cristino could not give a time.

Mr. Brown asked whether there was a solution to present to the Commission. Mr. Cristino stated that he would prepare the information.

Mr. Coggin inquired when the process might start of to remedy this situation. Mr. Scofield and Mr. Cristino will return on the May 20th with information to present to the Commissioners.

EXECUTIVE SESSION:

The Chairman inquired whether those of the general public who arrived late had any comments. Ms. Beyman said she was unable to come earlier, however, she wished to discuss the Steering Committee nominees. The Chairman suggested that Ms. Beyman meet with Mr. Mola off line and then see if a meeting will be required to discuss her concern the steering committee.

**** MR. BROWN MOVED TO GO INTO EXECUTIVE SESSION**

ON WASTEWATER TREATMENT PLANT GENERATORS, CRITICAL ELECTRICAL INFRASTRUCTURE ITEMS PER JOE CRISTINO'S LETTER AND PER DISCUSSIONS WITH RAY MITCHELL AND TIM LYONS, AND UNION CONTRACT NEGOTIATIONS, AT 7:55 P.M. WITH DISCUSSION TO TAKE PLACE WITH DAVE STERN, JOHN MILICI, RON SCOFIELD, JOE CRISTINO AND RAY MITCHELL AND ATTORNEY DENNIN.

**** MR. COGGIN SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

Attorney Dennin stated he would have to excuse himself when the Wastewater Treatment discussion began. He left the meeting at 8:25 p.m.

The Commission came out of Executive Session 10:30 p.m. and resumed the General Session.

**VOTE REQUIRED FOR ACQUISITION OF WASTEWATER
TREATMENT PLANT GENERATORS**

**** MR. BROWN MOVED TO HAVE JOE CRISTINO AND RAY MITCHELL TO START THE TWO GENERATORS AT THE WASTEWATER TREATMENT PLANT, WORKING WITH CITY OFFICIALS AS NECESSARY TO CO-ORDINATE, THE START UP.**

**** MR. FEINSTEIN SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

**** MR. BROWN MOVED TO APPOINT PAUL COGGIN TO THE PANEL TO EXPLORE AND ADDRESS THE NEW CAPACITY VIA THE WASTEWATER PLANT GENERATOR.**

**** MR. COGGIN SECONDED.**

**** MOTION PASSED UNANIMOUSLY.**

**** MR. BROWN MOVED TO SUSPEND THE RULES TO ADD AN AGENDA ITEM REFERENCING RON SCOFIELD.**

**** MR. COGGIN SECONDED.**

**** MOTION PASSED WITH ONE VOTE IN OPPOSITION
(MR. FIENSTIEN).**

**** MR. BROWN MOVED THAT RON SCOFIELD, CURRENTLY
PERFORMING DUTIES OF THE GENERAL MANAGER, BE PAID
THE FORMER GENERAL MANAGER'S BASE RATE.**

**** MOTION FAILED FOR LACK OF A SECOND.**

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ADJOURNMENT

**** MR. FEINSTEIN MOVED TO ADJOURN**

**** MR. COGGIN SECONDED**

**** MOTION PASSED UNANIMOUSLY.**

The Chairman adjourned the meeting at 10:40 p.m.

Respectfully submitted,

Alvina L. Richardson Decker
Telesco Secretarial Services